

# Washington, Saturday, March 29, 1941

Rules, Regulations, Orders

TITLE 15—COMMERCE

CHAPTER III—BUREAU OF FOREIGN AND DOMESTIC COMMERCE

[Order No. 96]

PART 305-FOREIGN TRADE STATISTICS

Section 305.47 is amended to read as

§ 305.47 Personal effects. No export declarations are required for personal effects or baggage of travelers. (R.S. 161, 5 U.S.C. 22, R.S. 335 as amended, 15 U.S.C. 176, R.S. 336 as amended, 15 U.S.C. 173, and R.S. 337 as amended, 15 U.S.C. 174; also 27 Stat. 197 as amended 15 U.S.C. 177.)

This amendment is effective imme-

March 20, 1941.

ROBERT H. HINCKLEY, Acting Secretary of Commerce.

[F. R. Doc. 41-2318; Filed, March 28, 1941; 11:54 a. m.]

TITLE 26-INTERNAL REVENUE CHAPTER III-U. S. BOARD OF TAX APPEALS

> PART 701-RULES OF PRACTICE RULES OF PRACTICE AMENDED 1

Introduction. These revised Rules are promulgated pursuant to authority of section 1111, Internal Revenue Code, which provides that "The proceedings of the Board and its divisions shall be conducted in accordance with such rules of practice and procedure (other than rules of evidence) as the Board may prescribe

and in accordance with the rules of evidence applicable in the courts of the District of Columbia in the type of proceedings which prior to September 16, 1938,

1 These amended sections are issued pursuant to the authority contained in section 1111, Internal Revenue Code, and are effective were within the jurisdiction of the courts of equity of said District."

Congress in the revenue acts has enacted provisions relating to the organization, jurisdiction, and procedure of the Board of Tax Appeals, and to the action of the Bureau of Internal Revenue with respect to the assessment and collection of deficiencies when a petition has been filed with the Board. Reference is made to those statutory provisions in the revenue acts for procedural requirements other than those relating to the conduct of proceedings before the Board and its divisions to which these Rules of Practice are limited. Attention is called to the Internal Revenue Code for convenient reference, and particularly to sections 271, 272, 273, 1100, and 1142.

The first paragraph of § 701.4 (Rule 4) is amended to read as follows:

§ 701.4 Form and style of papers. All papers filed with the Board shall be either printed or typewritten, and if typewritten, shall be on only one side of plain white paper. This paper shall be not more than 8½ inches wide and 11 inches long, and shall weigh not less than 16 pounds to the ream. The papers shall be fastened on the left side and at no other place.

Typewritten papers shall have no covers or backs. Copies shall be clear and legible but may be on any weight paper.

Paragraph (c) of § 701.6 (Rule 6) is amended to read as follows:

§ 701.6 Initiation of a proceeding-Petition.

(c) A statement of the amount of the deficiency [or liability, as the case may be], determined by the Commissioner, the nature of the tax, the period for which determined, the amount thereof (as nearly as may be computed) in controversy, and the collection district in which the return was filed.

§ 701.19 (Rule 19) is amended to read as follows:

§ 701.19 Motions. No motion for rehearing, further hearing, reconsideration or the like may, except by special leave of the Board, be filed more than 30 days

# CONTENTS

RULES, REGULATIONS, ORDERS	
TITLE 15—COMMERCE:	
Bureau of Foreign and Domestic	-
Commerce:	Page
Personal effects, export decla-	
rations	1683
TITLE 26—INTERNAL REVENUE:	
U. S. Board of Tax Appeals:	1000
Rules of practice amended	1683
TITLE 30-MINERAL RESOURCES:	
Bituminous Coal Division:	
District No. 11, minimum	
price schedule; tempo-	1684
rary relief continued	1004
TITLE 32—NATIONAL DEFENSE:	
Selective Service System:	1685
Return of rejected men	1000
TITLE 33-NAVIGATION AND NAVIGA-	
BLE WATERS:	
Corps of Engineers, War Depart-	

ment:

ton, bridge regulations\_\_\_ 1685 NOTICES Department of Agriculture: Agricultural Adjustment Administration: Wisconsin cut-over area, 1941 special conservation pro-1692 gram\_\_ Farm Security Administration: Louisiana, designation of loan 1696 areas Rural Electrification Administration: Amendment of administrative

Lake Washington, Washing-

orders\_ Department of Commerce: Civil Aeronautics Authority: Air Traffic Conference of

America, notice of oral argument\_. Department of the Interior: Bituminous Coal Division:

Hearings: District Board No. 9 .... District Board No. 11 (3 documents) \_\_ 1689, 1690, 1691

District Board No. 15 (2 \_\_\_ 1688, 1691 documents) \_\_\_\_ Shelby Elkhorn Coal Co \_\_\_\_ 1690 Stremel, Joseph F\_\_\_\_\_ 1690

(Continued on next page)

1683

1696



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CONTENTS—Continued	
Department of the Interior-Con.	
Bituminous Coal Division—Con.	
Hearings—Continued.	Page
Sunlight Coal Co. (2 docu-	
ments) 1688	1691
Bureau of Reclamation: Columbia Basin Project,	
Washington, first form	
reclamation withdrawal	1692
Department of Labor:	2002
Wage and Hour Division:	
Citrus pulp and waste in-	
dustry, application for	
exemption	1697
Federal Communications Commis-	
sion:	
Hearings: Baltimore, Louis G. (WBRE)	1698
General Electric Co	1697
King-Trendle Broadcasting	1001
Corp (WOOD)	1697
Federal Power Commission:	
Connecticut Light and Power	
Co. hearing postponed	1699
Memphis Natural Gas Co., hear-	
ing, etc	1698
Peoples Light Co., reclassifica- tion approved	1699
Federal Trade Commission:	1055
Trial examiners appointed, etc.:	
Bauer Mfg. Co	1700
Kreuger, G., Brewing Co	1700
Parke, Austin & Lipscombe,	
Inc., et al	1701
Securities and Exchange Commis-	
sion: Cities Service Co., declaration	
permitted to become effec-	
tive	1701
Crowder, George C., etc., regis-	
tration denied	1701
Hearings:	
Associated Gas & Electric Co.	1701
Gulf States Utilities Co	1701
Virginia Electric and Power	
Co	1701
United Gas Improvement Co.,	
et al., subsidiary included as	

a respondent\_\_\_\_\_

#### CONTENTS-Continued

War Department:	
Contract summaries:	Page
Goslin-Birmingham Mfg. Co.	1687
Johnson, Al, Construction Co.,	
et al	1686
Jones, J. A., Construction Co.	1688
Scripto Mfg. Co	1687
Severin, N. P	1685
Yellow Truck & Coach Mfg.	
Co	1686

after the opinion has been served; and no motion for vacation or revision of a decision may, except by special leave of the Board, be filed more than 30 days after the decision has been entered.

The first and second paragraphs of § 701.31 (Rule 31) are amended to read as follows:

§ 701.31 Evidence and the submission of evidence—(a) Rules applicable. The proceedings of the Board and its Divisions will be conducted in accordance with the rules of evidence applicable in the courts of the District of Columbia in the type of proceedings which prior to September 16, 1938, were within the jurisdiction of the courts of equity of said District.

(b) Stipulations. The parties by stipulation in writing filed with the Board or presented at the hearing, may agree upon any facts involved in a proceeding. Stipulations filed need not be formally offered to be considered in evidence. Written stipulations shall be filed in duplicate. Duplicates of exhibits appended to the stipulation need not be provided unless requested.

Paragraph (a) of § 701.35 (Rule 35) is amended to read as follows:

§ 701.35 Briefs \* \* \*

(a) A statement of the nature of the tax.

The third paragraph of 701.45 (Rule 45) is amended to read as follows:

§ 701.45 Depositions

. .

W

(c) Qualification of officer. The officer before whom depositions are taken must be one authorized to administer oaths. (Section 3632, I. R. C.)

Dated: March 28, 1941.

Note: The list of cities in which hearings are held by the Board has been amended to include the following cities:

New Jersey: Newark. North Carolina: Greensboro and Raleigh, South Carolina: Charleston and Columbia.

By the Board.

[SEAL]

C. R. ARUNDELL. Chairman.

[F. R. Doc. 41-2295; Filed, March 28, 1941; 10:55 a. m.]

TITLE 30-MINERAL RESOURCES

CHAPTER III-BITUMINOUS COAL DIVISION

[Docket No. A-478]

PART 331-MINIMUM PRICE SCHEDULE, DISTRICT No. 11

ORDER TERMINATING CONDITIONALLY FINAL RELIEF AND CONTINUING TEMPORARY RE-LIEF IN EFFECT, AND NOTICE OF AND ORDER FOR HEARING ON FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD 11 FOR THE ESTABLISHMENT OF RAILROAD FUEL PRICES FOR MINE INDEX NOS. 5, 57, 58, 80, 81, 87 AND 88, OF DIS-TRICT 11, UPON COAL SOLD TO THE C. I. & L. RAILWAY FOR FUELING ITS LOCOMO-TIVES AT THE K. & I. RAILWAY COAL DOCK AT LOUISVILLE, KENTUCKY

An original petition and an amendment thereto, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. having been duly filed with this Division by the above-named party, requesting temporary and permanent relief in the above-entitled matter; and

The Director having issued an Order, dated January 28, 1941, granting temporary relief in the above-entitled matter and providing that said temporary relief become final sixty (60) days from the date of said Order, unless otherwise or-

dered by the Director; and

Consumers' Counsel having duly filed with this Division a pleading opposing the conditionally final relief granted in the aforesaid Order of the Director and requesting that a public hearing be held in the above-entitled matter, and having shown good cause why said request should be granted; and

The Director deeming his action necessary in order to effectuate the purposes

of the Act:

It is ordered, That the conditionally final relief granted in the Director's Order, dated January 28, 1941, in the aboveentitled matter, be, and it hereby is, terminated.

It is further ordered, That, § 331.10 (Special prices: Railroad locomotive fuel) is amended by deleting the amendment to that section which is the supplement annexed to and made a part of the Order of the Director, dated January 28, 1941, 6 F. R. 815 (February 7, 1941).

It is further ordered, That the temporary relief granted in the Director's Order, dated January 28, 1941, in the above-entitled matter, be, and it hereby

is, continued in effect.

It is further ordered, That a hearing on the prayer for permanent relief in the above-entitled matter be held, under the applicable provisions of said Act, and the rules and regulations of the Division, on April 23, 1941, at 10 o'clock a. m. (eastern standard time) in a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held.

It is further ordered. That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such mat-The officers so designated to preter. The officers so designated to pre-side at such hearing are hereby authorized to conduct said hearing, to administer oaths, and affirmations, examine witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become parties herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the permanent relief requested in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 17, 1941.

The matter concerned herewith is in regard to the petition of District Board 11, requesting the issuance of a final order establishing a price of \$1.57 for Mine Index Nos. 5, 57, 58, 80, 81, 87 and 88 of District 11, on shipments of mine run, modified mine run, and doublescreened coal with a top size of 2" or less to the C. I. & L. Railway for fueling its locomotives at the K. & I. Railway Coal Dock at Louisville, Kentucky-the mine run price to be subject to Note "a", as defined on page 29 of the Schedule of Effective Minimum Prices for District No. 11 for All Shipments Except Truck, and the modified mine run price to be subject to Notes "a" and "c", as therein defined; and further praying that the relief, if granted, be made effective as of October 1, 1940, in the case of Mine Index No. 87.

All persons are hereby notified that the hearing in the above-entitled matter and any orders therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment of the original petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any,

granted on the basis of said original petition.

Dated: March 26, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2282; Filed, March 27, 1941; 12:12 p. m.]

# TITLE 32—NATIONAL DEFENSE

CHAPTER VII—SELECTIVE SERVICE SYSTEM

[Amendment No. 20]

AMENDING THE REGULATIONS SO AS TO COR-RECT THE PLACE TO WHICH A SELECTEE FOUND NOT ACCEPTABLE SHALL BE RE-

By virtue of the provisions of the Selective Training and Service Act of 1940, approved September 16, 1940, and the authority vested in me by the rules and regulations prescribed by the President thereunder, I hereby amend the Selective Service Regulations by deleting Paragraph 428. Section XXXVI, Volume Four, and substituting for said paragraph the following:

428. Reception of selected men at the induction station; return of rejected men. In the manner and to the extent prescribed by regulations of the land or naval forces, the commanding officer of the induction station is required to have the selected men met at the railroad station or bus terminal, transported to the induction station, and provided with food and lodging after their arrival and pending their induction or rejection. In the manner and to the extent prescribed by the regulations of the land or naval forces, the commanding officer of the induction station is required to provide transportation and subsistence for the return of the selected men who have been rejected.

March 25, 1941.

C. A. DYKSTRA, Director.

[F. R. Doc. 41-2283; Filed, March 27, 1941; 3:37 p. m.]

TITLE 33-NAVIGATION AND NAVI-GABLE WATERS

CHAPTER II-CORPS OF ENGINEERS. WAR DEPARTMENT

PART 203-BRIDGE REGULATIONS

§ 203.785 Lake Washington, Wash .: bridge at Barnabie Point, Mercer Island. The regulations governing the operation of this bridge are hereby revoked. (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28

Major General, The Adjutant General.

[F. R. Doc. 41-2294; Filed, March 28, 1941; 9:45 a. m.]

#### Notices

WAR DEPARTMENT.

[Contract No. W 6585 qm-77; O. I. No. 62] SUMMARY OF CONTRACT FOR CONSTRUCTION

CONTRACTOR: N. P. SEVERIN COMPANY, 222 W. ADAMS STREET, CHICAGO, ILLINOIS

Contract for: Construction and Completion of \* \* \* Warehouses including the Utilities thereto.

Amount: \$1,030,000.00.

Place: Ogden Ordnance Depot, Utah. Procurement authority. The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authority, the available balance of which is sufficient to cover the cost of same: QM 8762 P 1-3211 A 0540.063-N.

This contract, entered into this 23rd day of October 1940.

Statement of work. The contractor shall furnish the materials, and perform the work for constructing and completing \* \* \* Warehouses at Ogden Ordnance Depot, Utah, for the consideration of one million thirty thousand and no/100 dollars (\$1,030,000.00) in strict accordance with the specifications, schedules, and drawings, all of which are made a part hereof.

Changes. The contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings and/or specifications of this contract and within the general scope thereof.

Delays-Damages. If the contractor refuses or fails to prosecute the work, or any separable part thereof, with such diligence as will insure its completion within the time specified in article 1, or any extension thereof, or fails to complete said work within such time, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been delay. If the Government does not terminate the right of the contractor to proceed, the contractor shall continue the work, in which event the actual damages for the delay will be impossible to determine and in lieu thereof the contractor shall pay to the Government as fixed, agreed, and liquidated damages for each calendar day of delay until the work

Stat. 362; 33 U.S.C. 499) [Regs. Mar. 5, 1941 (E.D. 6371 (Wash.-Wash. Lake-Mercer Island-Mainland)-10/11 E. S. ADAMS.

<sup>15</sup> F.R. 4212

is completed or accepted the amount as set forth in the specifications or accompanying papers and the contractor and his sureties shall be liable for the amount thereof.

Payments to contractors. Unless otherwise provided in the specifications, partial payments will be made as the work progresses at the end of each calendar month, or as soon thereafter as practicable, on estimates made and approved by the contracting officer.

All material and work covered by partial payments made shall thereupon become the sole property of the Government.

Upon completion and acceptance of all work required hereunder, the amount due the contractor under this contract will be paid upon the presentation of a properly executed and duly certified voucher therefor.

This contract is authorized by the Act of Military Appropriation Act, 1941, Public No. 611 76th Congress, approved June 13, 1940.

FRANK W. BULLOCK, Major, Signal Corps, Assistant to the Director of Purchases and Contracts.

[F. R. Doc. 41-2288; Filed, March 28, 1941; 9:43 a. m.]

[Contract No. W-398-qm-8797; O. I. #1319]

SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: YELLOW TRUCK & COACH MAN-UFACTURING COMPANY (GENERAL MOTORS TRUCK & COACH DIVISION)

Contract for: Trucks \* \* \* Cab-Over-Engine.

Amount: \$1,828,312.82.

Place: Holabird Quartermaster Depot, Baltimore, Maryland.

This contract, entered into this 31st day of October 1940.

Scope of this contract. The contractor shall furnish and deliver \* \* \* Trucks \* \* \* Ton \* \* \* Cab-Over-Engine, for the consideration stated Total \$1,828,312.82 in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Delays—Liquidated damages. If the contractor refuses or fails to make delivery of the materials or supplies within the time specified in Article 1, or any extension thereof, the actual damage to the Government for the delay will be

impossible to determine, and in lieu thereof the contractor shall pay to the Government, as fixed, agreed, and liquidated damages for each calendar day of delay in making delivery, the amount as set forth in the specifications or accompanying papers, and the contractor and his sureties shall be liable for the amount thereof.

Liquidated damages shall be assessed against the contractor in the amount of \$ \* \* \* per vehicle for each calendar day of delay, on all vehicles not delivered by the contract completion date.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to procurement authority SC-1676-P-5-3053-A-0605-01 and ORD-7017-P-11-3053-A-1005-01 the available balance of which is sufficient to cover cost of same

This contract authorized under section 1 (a), Act of July 2, 1940 (Public No. 703, 76th Congress).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2293; Filed, March 28, 1941; 9:45 a.m.]

[Contract No. W 6585 qm-102; O. I. No. 97]

SUMMARY OF CONTRACT FOR CONSTRUCTION

CONTRACTORS: AL JOHNSON CONSTRUCTION CO., 211 SOUTH 11TH STREET; JAMES LECK COMPANY, MINNEAPOLIS, MINN.

Contract for: Construction and Completion of \* \* \* Warehouse \* \* \*.

Amount: \$1,705,000,00.

Place: Utah General Depot, Ogden, Utah.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in and are chargeable to the following Procurement Authority, the available balance of which is sufficient to cover the cost of same.

QM 7433 P 1-3211 A 0540.067-N

This contract, entered into this 18th day of November 1940.

Statement of work. The contractor shall furnish the materials, and perform the work for The Construction and completion of \* \* \* Warehouses \* \* \* at Utah General Depot, Ogden, Utah, for the consideration of one million seven hundred five thousand and no/100 dollars (\$1,705,000.00) in strict accordance with the specifications, schedules, and drawings, all of which are made a part hereof.

Changes. The contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings and/or specifications of this contract and within the general scope thereof.

Delays-Damages. If the contractor refuses or fails to prosecute the work, or any separable part thereof, with such diligence as will insure its completion within the time specified in article 1, or any extension thereof, or fails to complete said work within such time, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been delay. If the Government does not terminate the right of the contractor to proceed, the contractor shall continue the work, in which event the actual damages for the delay will be impossible to determine and in lieu thereof the contractor shall pay to the Government as fixed. agreed, and liquidated damages for each calendar day of delay until the work is completed or accepted the amount as set forth in the specifications or accompanying papers and the contractor and his sureties shall be liable for the amount

Payments to contractors. Unless otherwise provided in the specifications, partial payments will be made as the work progresses at the end of each calendar month, or as soon thereafter as practicable, on estimates made and approved by the contracting officer.

All material and work covered by partial payments made shall thereupon become the sole property of the Government.

Upon completion and acceptance of all work required hereunder, the amount due the contractor under this contract will be paid upon the presentation of a properly executed and duly certified youcher therefor.

This contract is authorized by the act of Military Appropriation Act 1941, Public No. 611—76th Congress, approved June 13, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2291; Filed, March 28, 1941; 9:44 a. m.]

[Contract No. W-134-ORD-108]

SUMMARY OF CONTRACT 1 FOR SUPPLIES

CONTRACTOR: SCRIPTO MANUFACTURING

Contract for: Boosters \* \* \* Metal Parts, \* \* \*.

Amount: \$1,140,000.00.

Place: Birmingham Ordnance District—800 Comer Building, Birmingham, Alabama.

The boosters to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to Procurement Authority ORD 6878 P11-0270 A 1005-01, the available balance of which is sufficient to cover the cost of same.

This contract, entered into this 15th day of January 1941.

Scope of this contract. The contractor shall furnish and deliver \* \* \* Boosters \* \* \* Metal Parts for the consideration stated \$1,140,000.00 (one million and one hundred forty thousand dollars), in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Payments will be made on partial deliveries accepted by the Government when requested by the contractor whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

Quantities. The Government reserves the right to increase the quantity on this contract by as much as \* \* \* % and at the unit price specified in Article 1, such option to be exercised within \* \* \* days from date of this contract.

Performance bond. Contractors shall be required to furnish a performance bond in duplicate in the sum of ten per centum of the total amount of this contract with surety or other security acceptable to the Government to cover the successful completion of this contract.

Liquidated damages. If the contractor refuses or fails to make delivery of the materials or supplies within the time specified in Article 1, or any extension thereof, the actual damage to the Government for the delay will be impossible

to determine, and in lieu thereof, the contractor shall pay to the Government, as fixed, agreed, and liquidated damages \* \* \* % of the contract price of the undelivered portion for each day of delay in making delivery beyond the dates set forth in the contract for deliveries with a maximum liquidated damage charge of \* \* \* % and the contractor and his sureties shall be liable for the amount thereof.

Termination when contractor not in default. This contract is subject to termination by the Government at any time as its interests may require.

Place of manufacture. The contractor will perform the work under this contract in the factory or factories listed below:

The Scripto Manufacturing Company Plant at Atlanta, Georgia.

Price adjustments. The contract prices stated in Article 1 are subject to adjustments for changes in labor and materials costs.

It is expressly agreed that quotas for labor will not be altered on account of delays in completion.

This Contract is authorized by the Act of July 2, 1940 (Public No. 703—76th Congress.)

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2290; Filed, March 28, 1941; 9:44 a. m.]

[Contract No. W-134-ORD-107]
SUMMARY OF CONTRACT 1 FOR SUPPLIES

CONTRACTOR: GOSLIN-BIRMINGHAM MANU-FACTURING COMPANY

Contract for: Shell-Machining, \* \* \*.

Amount: \$1,803,000.00.

Place: Birmingham Ordnance District, 800 Comer Building, Birmingham, Alabama.

The shell-machining to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to Procurement Authority ORD 6832 P11-0270 A 1005-01, the available balance of which is sufficient to cover the cost of same.

This contract, entered into this 30th day of January 1941.

Scope of this contract. The contractor shall furnish and deliver \* \* \* shell-machining, \* \* \*, for the consideration stated \$1,803,000.00 (one million eight hundred and three thousand dollars), in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Payments will be made on partial deliveries accepted by the Government when requested by the contractor, whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

Quantities. The Government reserves the right to increase the quantity on this contract by as much as \* \* \* %, and at the unit price specified in Article 1, such option to be exercised within \* \* \* days from date of this contract.

Performance bond. Contractors shall be required to furnish a performance bond in duplicate in the sum of ten per centum of the total amount of this contract with surety or other security acceptable to the Government to cover the successful completion of this contract.

Liquidated damages. If the contractor refuses or fails to make delivery of the materials or supplies within the time specified in Article 1, or any extension thereof, the actual damage to the Government for the delay will be impossible to determine, and in lieu thereof, the contractor shall pay to the Government, as fixed, agreed, and liquidated damages \* \* % of the contract price of the undelivered portion for each day of delay in making delivery beyond the dates set forth in the contract for deliveries with a maximum liquidated damage charge of \* \* \* %, and the contractor and his sureties shall be liable for the amount thereof.

Termination when contractor not in default. This contract is subject to termination by the Government at any time as its interests may require.

Place of manufacture. The contractor will perform the work under this contract in the factory or factories listed below:

The Goslin-Birmingham Manufacturing Company Plant at Birmingham, Alabama.

Price adjustments. The contract prices stated in Article 1 are subject to adjustments for changes in labor and materials costs.

It is expressly agreed that quotas for labor will not be altered on account of delays in completion.

Materials to be supplied by the Government. The Government will furnish a quantity of forgings.

ar, Approved by the Under Secretary of War March 21, 1941.

<sup>&</sup>lt;sup>1</sup>Approved by the Under Secretary of War, March 17, 1941.

This contract is authorized by the Act of July 2, 1940 (Public No. 703, 76th Congress).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2292; Filed, March 29, 1941; 9:44 a. m.]

[Contract No. W 6103 qm-94]

SUMMARY OF CONTRACT 1 FOR CONSTRUC-TION

CONTRACTOR: J. A. JONES CONSTRUCTION COMPANY, 209 WEST FOURTH STREET, CHARLOTTE, NORTH CAROLINA

Contract for: Construction of Additional Temporary Housing, including utilities and utilities systems thereto.

Amount: \$3,924,607.31.

Place: Fort Jackson, South Carolina. The supplies and services to be obtained by this instrument are authorized by, or for the purpose set forth therein, and are chargeable to Procurement Authorities quoted below, the available balance of which is sufficient to cover the cost of same: QM 7902 P-1-3211 A0540.068-N.

This contract, entered into this 7th

day of February 1941.

Statement of work. The contractor shall furnish the materials, and perform the work for the construction and completion of additional temporary housing and utilities and utilities systems thereto at Fort Jackson, South Carolina, for the consideration of three million, nine hundred twenty-four thousand, six hundred seven and 31/100 dollars (\$3,924,607.31), in strict accordance with the specifications, schedules, and drawings, all of which are made a part hereof.

Changes. The contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings and/or specifications of this contract and within the

general scope thereof.

Delays-Damages. If the contractor refuses or fails to prosecute the work, or any separable part thereof, with such diligence as will insure its completion within the time specified in article 1, or any extension thereof, or fails to complete said work within such time, the Government may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been delay. If the Government does not terminate the right of the contractor to proceed, the contractor shall continue the work, in which event the actual damages for the delay will be impossible to determine and in lieu thereof the contractor shall pay to the Government as fixed, agreed, and liquidated damages for each calendar day of delay until the work is completed or accepted the amount as set forth in the specifications or accompanying papers and the contractor and his sureties shall be liable for the amount thereof.

Payments to contractors. Unless otherwise provided in the specifications, partial payments will be made as the work progresses at the end of each calendar month, or as soon thereafter as practicable, on estimates made and approved by the contracting officer. In preparing estimates the material delivered on the site and preparatory work done may be taken into consideration.

All material and work covered by partial payments made shall thereupon become the sole property of the Government.

Upon completion and acceptance of all work required hereunder, the amount due the contractor under this contract will be paid upon the presentation of a properly executed and duly certified voucher therefor.

This contract is authorized by the act of Public Resolution #99.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-2289; Filed, March 28, 1941; 9:43 a. m.]

#### DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-221]

PETITION OF SUNLIGHT COAL COMPANY, A CODE MEMBER IN DISTRICT NO. 11, FOR THE ESTABLISHMENT OF ADDITIONAL SIZE CLASSIFICATIONS AND MINIMUM PRICES FOR RAILROAD LOCOMOTIVE FUEL SOLD BY IT AND OTHER ON-LINE MINES WITHIN THAT DISTRICT TO THE SOUTHERN RAILWAY, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

#### ORDER POSTPONING HEARING

The above-entitled matter having been duly scheduled for a hearing at Washington, D. C. on April 9, 1941; and

District Board No. 11, an intervener therein, having duly filed with this Division its written motion, together with due proof of service thereof, for a postponement of said hearing until April 14, 1941: and

No opposition having been made to said motion;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed until April 14, 1941, at 10 a.m. at the offices of this Division in Washington, D. C.

It is further ordered, That the time within which petitions of intervention may be filed herein is extended to April 9, 1941.

In all other respects the Order for Hearing hereinbefore entered on February 21, 1941 shall remain in full force and

Dated: March 26, 1941.

[SEAL] H. A. GRAY,

Director.

[F. R. Doc. 41-2281; Filed, March 27, 1941; 12:12 p. m.]

[Docket No. A-738]

PETITION OF DISTRICT BOARD NO. 15 FOR THE ESTABLISHMENT OF AN ADDITIONAL PRICE CLASSIFICATION AND MINIMUM PRICE FOR THE WASHED 3/8" x 0 SCREEN-INGS PRODUCED IN DISTRICT NO. 15

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party:

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 11, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edw. J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 7, 1941.

All persons are hereby notified that the hearing in the above-entitled matter

Approved by the Under Secretary of War March 4, 1941.

and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 15 for the establishment of an additional price classification and minimum price for the washed 36" x 0 screenings produced in the mines of the code members in District No. 15.

Dated: March 26, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2278; Filed, March 27, 1941; 12:11 p. m.]

#### [Docket No. A-743]

PETITION OF DISTRICT BOARD FOR DISTRICT NO. 11, FOR THE ESTABLISHMENT OF A PROVISION IN THE SCHEDULE OF EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11, FOR ALL SHIPMENTS EXCEPT TRUCK, FOR THE ABSORPTION OF THE E. S. & N. RAILROAD SWITCHING CHARGE APPLICABLE ON SHIPMENTS FROM THE STERNBERG COAL CORPORATION, STAR HILL MINE NO. 1, MINE INDEX NO. 80

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party; and

The original petitioner having duly filed, upon due notice, and moved to amend the original petition;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 25, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 21, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 11 requesting temporary and final order modifying the effective minimum prices for District No. 11 for all shipments except truck by establishing a provision granting permission to Sternberg Coal Corporation to absorb the ES&N Railroad switching charge of \$8.80 per car, applicable on shipments from its Star Hill Mine No. 1, Mine Index No. 80, to (1) all destinations, except those located on or reached via the C&EI, CI&L, CCC&StL, IC, and Penna. Railroads, and (2) shipments of locomotive fuel for use by the Southern Railway, to permit delivery to all destinations at the same price as if Chandler, Indiana, on the Southern Railway, were the originating point.

Dated: March 26, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2279; Filed, March 27, 1941; 12:11 p. m.]

#### [Docket No. A-749]

PETITION OF DISTRICT BOARD 9 FOR THE ESTABLISHMENT OF SEASONAL DISCOUNTS ON DISTRICT NO. 9 COALS IN SIZE GROUPS 1-6, INCLUSIVE, AND 8 AND 9, SOLD FOR "DOMESTIC" PURPOSES TO RETAIL DEALERS IN CERTAIN MARKET AREAS DURING THE MONTHS OF MAY, JUNE, JULY AND AUGUST

NOTICE OF AND ORDER FOR HEARING ON TEM-PORARY AND PERMANENT RELIEF

An original petition in the aboveentitled matter having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937; It is ordered, That a hearing on the prayers for temporary and permanent relief in the above-entitled matter be held, under the applicable provisions of Said Act, and the rules and regulations of the Division, on April 21, 1941, at 10 o'clock a. m. (eastern standard time) in a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day, the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held.

It is further ordered, That Floyd Mc-Gown or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law. Provided, however, That the prayer for temporary relief shall be reserved within the jurisdiction of the Director for any such action as may be deemed by him to be appropriate at any time during the course of the proceeding in the aboveentitled matter.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become parties herein. Any person to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 15, 1941.

The matter concerned herewith is in regard to the petition of District Board 9, requesting the issuance of temporary and permanent orders establishing seasonal discounts on District No. 9 coals in Size Groups 1-6, inclusive, and 8 and 9, sold for "domestic" purposes to retail dealers in certain market areas during the months of May, June, July and August.

All persons are hereby notified that the hearing in the above-entitled matter and any orders therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment of the original petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of said original petition.

Dated: March 26, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2280; Filed, March 27, 1941; 12:11 p. m.]

#### [Docket No. A-7]

IN THE MATTER OF THE OPINION OF DISTRICT BOARD NO. 11 FOR RELIEF TO OFF-LINE RAILROAD FUEL PRICES FOR CER-TAIN CODE MEMBERS IN DISTRICT 11, AND RELATED MATTERS, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

NOTICE OF AND ORDER FURTHER CONTINUING HEARING FOR CERTAIN LIMITED PURPOSES AND REDESIGNATING TRIAL EXAMINER

The original petitioner in Docket No. A-7, having filed a motion requesting that the continued hearing for certain limited purposes in the above-entitled matter, heretofore scheduled for March 28, 1941, pursuant to order dated February 28, 1941, should be further continued until the week of April 14, 1941, and having shown good cause why said motion should be granted;

Now therefore it is ordered, That the hearing in Docket A-7 be continued from 10 o'clock in the forenoon of March 28, 1941, until 10 o'clock in the forenoon of April 14, 1941, at the place heretofore designated; and

It is further ordered, That D. C. Mc-Curtain be and he hereby is designated to preside at the above entitled matter, vice W. A. Shipman.

In all other respects the original Notice and Order, dated February 28, 1941, shall remain in full force and effect.

Dated: March 27, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2308; Filed, March 28, 1941; 11:22 a. m.]

# [Docket No. A-661]

PETITION OF SHELBY ELKHORN COAL COM-PANY, A PRODUCER IN DISTRICT NO 8, FOR A CHANGE IN MINIMUM PRICES AND FOR THE ESTABLISHMENT OF PRICE CLASSIFI-CATIONS AND MINIMUM PRICES IN ADDI-TIONAL SIZE GROUPS

# NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 10, 1941, at 10 o'clock in the forenoon of that day,

at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books. papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a part to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 4,

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Shelby Elkhorn Coal Company, a code member in District No. 8, for a change in price classifications and minimum prices for coal produced at its Dry Fork Mine, Mine Index No. 559, in Size Groups 15, 16, and 17, for shipments to all destinations other than the Great Lakes, from "D" to "G", and for the establishment of a "K" classification in Size Groups 1, 2, 3, and 4.

Dated: March 27, 1941.

[SEAL] .

H. A. GRAY, Director.

[F. R. Doc. 41-2305; Filed, March 28, 1941; 11:21 a. m.]

[Docket No. A-745]

PETITION OF JOSEPH F. STREMEL, A CODE MEMBER IN DISTRICT NO. 17, FOR MODI-FICATION OF THE EFFECTIVE MINIMUM PRICES FOR THE COALS IN SIZE GROUP NO. 13 OF HIS MINE INDEX 442 IN SAID DISTRICT FOR LOCOMOTIVE FUEL USE

#### NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 10, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 5, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Joseph F. Stremel, a code member in District No. 17 for a reduction to \$1.25 per ton in the effective minimum prices for the coals in Size Group 13 of his Mine Index No. 442 in District No. 17 for locomotive fuel use.

Dated: March 27, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2306; Filed, March 28, 1941; 11:22 a. m.]

#### [Docket No. A-748]

PETITION OF DISTRICT BOARD NO. 15 FOR REVISION OF THE SCHEDULE OF EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 15, FOR ALL SHIPMENTS EXCEPT TRUCK, AS TO SALES OF RAILROAD LOCOMOTIVE FUEL

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 10, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention

shall be filed with the Bituminous Coal Division on or before April 5, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 15 for revision of the Schedule of Effective Minimum Prices for District No. 15, For All Shipments Except Truck, for coals sold for railroad locomotive fuel use to permit a limited absorption by the code members of trackage and service contract charges.

Dated: Mar. 27, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2303; Filed, March 28, 1941; 11:21 a. m.]

#### [Docket No. A-751]

PETITION OF SUNLIGHT COAL COMPANY, A CODE MEMBER IN DISTRICT NO. 11, FOR THE ESTABLISHMENT OF A MINIMUM PRICE FOR THE COALS OF ITS MINE INDEX NO. 87 FOR THEIR SALE TO THE CHICAGO, INDIANAPOLIS, AND LOUISVILLE RAILWAY COMPANY FOR LOCOMOTIVE FUEL USE

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on April 14, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That D. C. Mc-Curtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other

duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 9,

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Sunlight Coal Company, a code member in District No. 11, for the establishment of the minimum price of \$1.574 per ton for the coals of its Mine Index No. 87, sold to the Chicago, Indianapolis, and Louisville Railway Company for locomotive fuel use and for the privilege of applying, at its option, coals in Size Groups 1–8 inclusive upon orders for such fuel specifying nut (3" x 15"), modified mine run, mine run, or resultant mine run (6" x 0).

Dated: March 27, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2304; Filed, March 28, 1941; 11:21 a. m.]

#### [Docket No. A-762]

PETITION OF DISTRICT BOARD 11 FOR REVISION OF THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR COALS PRODUCED FOR RAIL SHIPMENT BY SUNLIGHT COAL COMPANY, SUNLIGHT NO. 11 MINE, MINE INDEX NO. 87, AND BY TECUMSEH COAL CORPORATION, TECUMSEH MINE, MINE INDEX NO. 105, BY PROVIDING FOR DEDUCTIONS FROM SAID PRICES BASED UPON DIFFERENCES IN FREIGHT RATES BETWEEN SAID MINES AND OTHER MINES IN DISTRICT NO. 11, ON SHIPMENTS TO MARTINSVILLE, INDIANA, MARKET AREA 32

NOTICE OF AND ORDER FOR HEARING ON TEM-PORARY AND PERMANENT RELIEF

An original petition in the aboveentitled matter having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937;

It is ordered. That a hearing on the prayers for temporary and permanent relief in the above-entitled matter be held, under the applicable provisions of said Act and the rules and regulations of the Division, on April 4, 1941, at 10 o'clock a. m. (eastern standard time) in a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room in which such hearing will be held.

It is further ordered, That W. A. Shipman or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law. Provided, however, That the prayer for temporary relief shall be reserved within the jurisdiction of the Director for any such action as may be deemed by him to be appropriate at any time during the course of the proceeding in the above-entitled matter.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become parties herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 4, 1941.

The matter concerned herewith is in regard to the petition of District Board 11 for revision of the effective minimum prices established for coals produced for rail shipment by Sunlight Coal Company, Sunlight No. 11 Mine, Mine Index No. 87, and by Tecumseh Coal Corporation, Tecumseh Mine, Mine Index No. 105, by providing for deductions from said prices based upon differences in freight rates between said mines and other mines in District No. 11, on shipments to Martinsville, Indiana, Market Area 32.

All persons are hereby notified that the hearing in the above-entitled matter and any orders therein may concern, in addition to the matters specifically alleged in the petition, other matters nec-

essarily incidental and related thereto. which may be raised by amendment of the original petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of said original petition.

Dated: March 27, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-2307; Filed, March 28, 1941; 11:22 a. m.]

#### Bureau of Reclamation.

FIRST FORM RECLAMATION WITHDRAWAL, COLUMBIA BASIN PROJECT, WASHINGTON

MARCH 10, 1941.

THE SECRETARY OF THE INTERIOR.

Sir: In connection with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal, as provided in Section 3, Act of June 17, 1902 (32 Stat., 388).

COLUMBIA BASIN PROJECT, WASHINGTON

Willamette Meridian

T. 27 N., R. 35 E., Sec. 24, S½SW¼; T. 28 N., R. 32 E., Sec. 25, SE¼NW¼; T. 38 N., R. 37 E., Sec. 17, Lot 6.

Respectfully,

H. W. BASHORE, Acting Commissioner.

March 17, 1941.

I concur.

FRED W. JOHNSON. Commissioner of the General Land Office.

MARCH 22, 1941.

The foregoing recommendation is hereby approved and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

> A. J. WIRTZ. Under Secretary.

[F. R. Doc. 41-2285; Filed, March 28, 1941; 9:42 a. m.]

#### DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[ACP-1941-Wisconsin cut-over]

1941 SPECIAL AGRICULTURAL CONSERVATION PROGRAM FOR THE WISCONSIN CUT-OVER

Wheat allotments and yields,

Farm allowance.

Soil-building goals and practices

SCHEDULE OF SOIL-BUILDING PRACTICES

Application of materials. Pasture improvement. Green manure and go-down crops. Orchard practices. Weed control.

Net farm payments or deductions. Division of payments and deductions.

Increase in small payments. Payments limited to \$10,000.

Deductions incurred on other farms. Deduction for association expenses General provisions relating to payments.

Applications for payment.

Appeals.

State and regional bulletins, instructions, and forms

Definitions.

Authority, availability of funds, and applicability.

Payments will be made for participa-tion in the 1941 Special Agricultural Conservation Program for the Wisconsin Cut-Over Area (hereinafter referred to as the 1941 Wisconsin Cut-Over Program) in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made. This program will be applicable in Ashland. Bayfield, Douglas, Iron, Price, Sawyer, and Vilas Counties, Wisconsin.

SECTION 1. Wheat allotments and yields-(a) National goal, national and state acreage allotments, county and farm acreage allotments, and acreage planted to wheat. The provisions of § 701.201, paragraph (h), subparagraphs (1), (2), (3), (4), and (8) of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incorporated as this paragraph (a).

(b) Normal wheat yields. The provisions of § 701.201, paragraph (h), subparagraph (6) of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incorporated as this paragraph (b).

SEC. 2. Farm allowance—(a) Farm allowance. The maximum farm payment that may be made with respect to any farm in a county shall be the sum of: (1) The acreage of cropland times 67 cents. (2) The acreage of noncrop open pasture times 14 cents. (3) The acreage of commercial orchards times \$1.80.

If the allowance for the farm exclusive of the tree-planting payment in paragraph (b) is less than \$20.00, the farm allowance will be increased by the amount of the difference.

(b) Special tree-planting allowance. In addition to the farm allowance, a special allowance of \$15.00 will be available for each farm for planting trees.

SEC. 3. Soil-building goals and practices-(a) National goal. The national goal is the conservation of the farm land. the restoration, insofar as is practicable, of a permanent vegetative cover on land not needed for or unsuited to the continued production of cultivated crops, and the carrying out of soil-building practices that will conserve and improve soil fertility and prevent wind and water ero-

(b) County goals. County goals may be established for particular soil-building practices which are most needed in the county in order to conserve and improve soil fertility and to prevent wind and

water erosion. The county committee, with the approval of the State committee, may designate those practices which will be approved toward meeting the soil-building goal in the county in order that the farm allowance will be used most effectively to bring about added conservation and to secure the carrying out of soil-building practices most needed on farms in the county.

(c) Farm goals. The soil-building goal for any farm is the performance of sufficient soil-building practices to utilize fully the farm allowance.

(d) County committee designation and prior approval of practices. The county committee shall determine which of the practices listed in this section are applicable for meeting the soil-building goal for the farms in the county.

The county committee may, upon prior notification to the operator, designate the location and extent of certain practices which must be carried out on the farm. If the operator fails to carry out such practices, the county committee may withhold that portion of the farm payment which would have been earned by the carrying out of such designated practices.

(e) Soil-building practices. The soil-building practices listed in the following schedule may qualify for credit toward the soil-building goal for the farm when such practices are carried out under the provisions of the 1941 program during the 12-month period from October 1, 1940, to September 30, 1941, inclusive, in accordance with specifications issued by the regional director or by the State committee with the approval of the regional director. The specifications issued shall be such as to assure that the soil-building practice will be performed in a workmanlike manner and in accordance with good farming practice for the locality.

If one-half or more of the total cost of carrying out any practice is represented by labor, seed, trees, or other materials furnished by any State or Federal agency other than the Agricultural Adjustment Administration, no credit toward the soil-building goal shall be given for such practice. If less than onehalf of the total cost of carrying out any practice is represented by such items, credit toward the soil-building goal shall be given for one-half of such practice. Labor, seed, trees, and materials furnished to a State or political subdivision of a State or any agency thereof by any agency of the same State shall not be deemed to have been furnished by "a State-agency" within the meaning of this paragraph.

Soil-building practices carried out with the use of equipment furnished by the Soil Conservation Service shall not (by virtue of the use of such equipment) be deemed to have been paid for in whole or in part by a State or Federal agency.

Trees purchased from a Clark-McNary Cooperative State Nursery shall not be deemed to have been paid for in whole or in part by a State or Federal agency.

SCHEDULE OF SOIL-BUILDING PRACTICES

Farmers in this area may earn their soil-building allowances by carrying out the following practices according to good farming methods. The rates of credit listed below are the maximum rates allowable and credits for any practice, if necessary in order to reflect relative desirability of the practice for any counties, shall be adjusted downward by the State committee with the approval of the Agricultural Adjustment Administration.

# Application of Materials

Conservation materials. Upon request, limestone and superphosphate will be furnished to farmers in place of part of the program payments. Use of these materials will be limited to the purposes enumerated under the following subparagraphs (1) and (2).

Wherever such materials are furnished, a deduction shall be made in an amount determined by the Agricultural Adjustment Administration on the basis approved by the Secretary. If the producer uses any such material in a manner which is not in substantial accord with the purposes for which such material was furnished, an additional deduction for the material misused equal to the amount of the original deduction for such material shall be made.

The deduction for materials shall be made from the payment due the person who obtained the materials on the same or any other farm in the county. In the event the amount of the deduction for materials exceeds the amount of the payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary.

(1) Fertilizers. Application of the following fertilizers with seedings of perennial or biennial legumes, perennial grasses, winter vetch, or permanent pasture, seeded with or without a nurse crop, except that credit will not be given when the nurse crop is wheat for grain. Applications to land on which these legumes or grasses are already growing will also qualify. In addition, phosphate will qualify if applied with green manure crops in orchards.

(a) 100 pounds of triple superphosphate containing 48 percent by weight of available phosphoric acid or its equivalent: \$2.00.

(b) 1 bag of not less than 100 pounds of triple superphosphate furnished by the Agricultural Adjustment Administration: \$2.00.

(c) 150 pounds of muriate of potash containing 50 percent by weight of water-soluble potash or its equivalent: \$2.00.

(2) Liming materials. Application of ground limestone (or its equivalent). The ground limestone must contain calcium and magnesium carbonate equivalent to not less than 80 percent of calcium carbonate. If 90 percent of the

ground limestone will not pass through an 8-mesh sieve, the county committee will have to require a higher percentage of calcium carbonate: \$3.50 per ton.

The following quantities of other calcareous substances are equivalent to 1 ton of ground limestone: 1,400 pounds of hydrated lime; 2 cubic yards of marl, calcium-carbide refuse lime, paper-mill refuse lime, or commercial wood ashes.

#### Seedings

All seedings of legumes and grasses must be made with adapted seed.

(3) Special legumes. Seeding alfalfa, ladino clover, white clover, or winter vetch: \$2.50 per acre.

(4) Legumes and grasses. Seeding biennial legumes, perennial legumes, perennial legumes, perennial grasses (other than timothy or redtop), or mixtures (other than a mixture consisting solely of timothy and redtop) containing perennial grasses, perennial legumes, or biennial legumes (except any of such seedings qualifying at a higher rate of credit): \$1.50 per acre.

(5) Timothy and redtop. Seeding timothy or redtop or a mixture consisting solely of timothy and redtop: 40 cents

per acre.

(6) Annual legumes and grasses. Seeding annual rye-grass, annual sweet clover, spring seeded vetch, or mixtures thereof: 75 cents per acre.

## Pasture Improvement

- (7) Partial seedings. Reseeding depleted noncrop open pasture land with adapted seed of any of the following:
- (a) Seedings consisting solely of timothy, redtop, or mixtures of such crops:8 cents per lb.
- (b) Other seedings consisting of adapted pasture grasses, perennial or biennial legumes, or approved pasture mixtures: 15 cents per lb.
- (8) Improving pastures. With prior approval of the county committee, improvement of noncrop open pasture land which the county committee determines will, when improved, be capable of carrying at least one animal unit for each two acres during a pasture season of at least four months. Improvement shall include uprooting and removal of shrubs, leveling hummocks, carrying out an adequate system of mowing, and removing loose stones. Payment will not be made unless sufficient liming materials, fertilizer, and seed, where needed, are applied to obtain a good stand: \$4.50 per acre.

# Green Manure and Go-down Crops

(9) Green manure legumes and fall seedings. Green manure crops of cowpeas, Canadian field peas, winter vetch, biennial legumes, 1940 fall seedings of rye, wheat mixtures, or wheat. A good growth must be obtained and not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land. It must be incorporated into the soil by plowing or disking before grain formation or October 1, 1941, whichever is earlier.

Where the land is subject to erosion, it must be followed by a winter cover crop: \$1.50 per acre.

(10) Green manure spring seedings. Spring seeded green manure crops of oats, barley, rye, Sudan grass, millet, buckwheat, sweet sorghum, wheat mixtures, wheat, and mixtures of any of these crops. A good vegetative growth must be obtained and not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land. It must be incorporated into the soil by plowing or disking before grain formation or October 1, 1941, whichever is earlier. Where the land is subject to erosion, it must be followed by a winter cover crop: 75 cents per acre.

(11) Go-down crops. Go-down crops of sweet sorghums, Sudan grass, millet, buckwheat, oats, barley, rye, wheat, annual ryegrass, and mixtures of any of these crops. A good vegetative growth adequate to protect the soil from wind and water erosion and suitable to provide food and cover for wildlife, must be on the land on September 30, 1941, and the crop must not be pastured or harvested as grain, seed, hay, forage, or otherwise taken from the land: 75 cents per acre.

#### Forestry

Payment will not be made for tree planting, maintenance, or improvement if more than 50 of the trees per acre are white pines unless currant and gooseberry bushes are removed from among the trees and throughout a protective border sufficiently wide to prevent blister rust infection.

(12) Tree planting. Planting 650 trees per acre for forest purposes (including shrubs beneficial to wildlife) or 300 trees per acre for windbreak if the trees and shrubs are protected from fire and grazing and cultivated in accordance with good tree-culture and wildlife-management practices: \$12.50 per acre.

(13) Tree maintenance. Maintaining a good stand of at least 300 forest trees per acre or a mixture of at least 300 trees and shrubs, suitable for wildlife and planted between July 1, 1937, and July 1, 1941, by cultivating sufficiently to control other vegetation, protecting from fire and livestock, and replanting if necessary. (Payment will not be made for this practice in the case of trees for which payment is made for planting under the 1941 program): \$4.00 per acre.

(14) Timber improvement. Improving a stand of forest trees by cutting weed trees and thinning or pruning other trees, so as to leave at least 100 potential timber trees of desirable species per acre with a minimum diameter of 6 inches, or at least 200 potential timber trees of desirable species per acre with a minimum diameter of 2 inches, well distributed over each acre of woodland, Provided: (a) the county committee gives prior approval for the area; (b) the area is not grazed and is adequately protected against fire; and (c) approved

wildlife-management practices are carried out. Credit will not be given for this practice on an acreage planted to trees since July 1, 1937, nor on an acreage of old timber stands on which credit has been given for improving a stand of forest trees under an agricultural conservation program during any of the four years prior to 1941: \$4.00 per acre.

(15) Nongrazing woodlots. Restoration of fenced farm woodlots, normally overgrazed, by nongrazing and fire protection during the entire 1941 program year, in order to encourage the growth of young seedlings and to provide nesting places, food, and cover for wildlife. (Payment will not be made for more than 2 acres of woodland for each animal unit normally grazed on such woodland.): 35 cents per acre.

#### Orchard Practices

(16) Application of mulching material. Application of air-dry straw or equivalent mulching material (excluding barnyard and stable manure) in orchards: \$2.00 per ton.

(17) Apple tree removal. Upon prior approval of the county committee, removal of diseased or uneconomic apple trees, the major portion of whose fruit is of inferior quality. Payment will be made only for the removal of live permanent trees and not for the removal of filler or semi-permanent trees. No payment shall be made for trees less than 5 inches in diameter. Not more than \$15.00 per acre may be earned under this practice.

(a) For trees 5 inches to 12 inches in diameter: 30 cents per tree.

(b) For trees 12 inches to 20 inches in diameter: 50 cents per tree.

(c) For trees over 20 inches in diameter: 75 cents per tree.

# Weed Control

(18) Weed control. Upon prior approval of the county committee, eradication or control of seriously infested plots of the following perennial noxious weeds: Canada thistle, creeping Jenny, quack grass, leafy spurge, orange hawk weed, and ox-eye daisy. Payment for this practice may be approved only on farms where approved weed control measures are being carried out on all adjacent infested farms and contiguous land, where the infestation is limited to a single farm, or where the county committee determines that there is no likelihood of reinfestation from adjacent farms or contiguous land.

(a) Where sodium chlorate is used and effective control is obtained by September 30, 1941: \$12.50 per acre.

(b) Where clean tillage is used and effective control is obtained by September 30, 1941: \$7.50 per acre.

#### Other Practices

(19) Sanding cranberry bogs. Applying sand free from stones or loam to a depth of at least one-half inch on fruiting cranberry bogs: \$7.50 per acre.

Sec. 4. Net farm payments or deductions. The net payment or net deduction computed for any farm in the county shall be the maximum farm payment less the sum of the following:

(a) Deduction for failure to carry out soil-building practices. The amount by which the farm allowance exceeds the payment for soil-building practices carried out on the farm.

(b) Deduction for failure to prevent wind or water erosion. Twenty-five cents per acre for each time wind or water erosion control methods recommended by the county committee are not carried out on the farm in 1941 by the date specified by the committee.

(c) Deduction for failure to maintain practices under previous programs. Where the county committee, in accordance with instructions of the State committee, determines that (1) forest trees planted or pastures established under previous agricultural conservation programs are not maintained in accordance with good farming practices, (2) seedings of perennial legumes or grasses are destroyed after producers have been advised that the destruction of such legumes or grasses would constitute a practice which would be contrary to good farming practice in the county, or (3) the effectiveness of any soil-building practice carried out under a previous program is destroyed in 1941 contrary to good farming practice, the amount of the payment offered for the practice under the 1941 program shall be deducted from payments which would otherwise be made.

SEC. 5. Division of payments and deductions. The amount of the net payment earned in carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If more than one such person contributed to the carrying out of soil-building practices on the farm under the 1941 program, the net payment shall be divided in the proportion that the county committee determines such persons contributed to the carrying out of such practices on the farm under such program.

In making this determination the county committee shall take into consideration the value of the labor, equipment, or material contributed by each person toward the carrying out of each soil-building practice on a particular acreage, assuming that each person contributed equally unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion.

The deduction for failure to maintain soil-building practices carried out under previous programs will be divided among the persons who the county committee determines were responsible for the failure to maintain the practices in the proportion that the county committee finds such persons were responsible.

SEC. 6. Increase in small payments. The provisions of § 701.205 of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incorporated as this section 6. §§ 701.201 to 701.204 referred to therein shall refer to sections 1 to 5 of this bulletin.

SEC. 7. Payments limited to \$10,000. The provisions of \$701.206 of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incorporated as this

section 7.

SEC. 8. Deductions incurred on other farms. The provisions of § 701.207 of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incorporated as this section 8, the deductions referred to being computed under sections 4 and 5 of this bulletin.

SEC. 9. Deduction for association expenses. There shall be deducted pro rata from the payments with respect to any farm all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

SEC. 10. General provisions relating to payments. The provisions of § 701.210 of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incor-

porated as this section 10.

SEC. 11. Applications for payment. The provisions of § 701.211 of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incorporated as this section 11. For the purposes of this bulletin, § 701.204 referred to therein shall refer to section 5 of this bulletin.

SEC. 12. Appeals. The provisions of § 701.212 of the 1941 Agricultural Conservation Program Bulletin (ACP-1941) are incorporated as this section 12.

SEC. 13. State and regional bulletins, instructions, and forms. The Agricultural Adjustment Administration is hereby authorized to make such determinations and to prepare and issue such State and regional bulletins, instructions, and forms as may be required in administering the 1941 program pursuant to the provisions hereof.

SEC. 14. Definitions. For purposes of the 1941 program, unless the context

otherwise requires:

(a) Officials. (1) Secretary means the Secretary of Agriculture of the United States.

- (2) Regional director means the director of the division of the Agricultural Adjustment Administration in charge of the agricultural conservation program in the region.
- (3) State committee or State agricultural conservation committee means the group of persons designated within any State to assist in the administration of the agricultural conservation programs in such State.
- (4) County committee or county agricultural conservation committee means the group of persons elected within any county to assist in the administration of

the agricultural conservation programs in such county.

- (b) North central region. "North central region" means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.
- (c) Farms. "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:
- (1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Agricultural Adjustment Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; and
- (2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(d) Cropland. "Cropland" means farm land which in 1940 was tilled or was in regular rotation, excluding commercial

orchards.

- (e) Miscellaneous. (1) "Person" means an individual, partnership, association, corporation, estate, or trust and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.
- (2) "Landlord" or "owner" means a person who owns land and rents such land to another person or operates such land.
- (3) "Tenant" means a person who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.
- (4) "Noncrop open pasture land" means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

Sec. 15. Authority, availability of funds, and applicability—(a) Authority. This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended.

(b) Availability of funds. The provisions of the 1941 Wisconsin Cut-Over Program are necessarily subject to such legislation affecting said program at the Congress of the United States may hereafter enact; the making of the payments herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amount of such payments in any county will necessarily be within the limits finally determined by such appropriation, the final estimate of payments which would be made in the county under the 1941 National Agricultural Conservation Program, and the extent of participation in such county. As an adjustment for participation, the rates of payment and deduction specified herein may be increased or decreased by as much as 10 percent.

(c) Applicability. The provisions of this bulletin are applicable only in Ashland, Bayfield, Douglas, Iron, Price, Sawyer, and Vilas Counties, Wisconsin. The provisions of the 1941 Wisconsin Cut-Over Program contained herein are not applicable to (1) any department or bureau of the United States Government and any corporation wholly owned by the United States: and (2) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (2) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the Agricultural Adjustment Administration finds that land administered by other agencies complies with all of the foregoing provisions for eligibility.

Done at Washington, D. C., this 28th day of March 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 41-2313; Filed, March 28, 1941; 11:36 a. m.]

Farm Security Administration.

DESIGNATION OF LOCALITIES IN PARISH OF NATCHITOCHES, STATE OF LOUISIANA, IN WHICH LOANS MAY BE MADE

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 23, 1940, loans made in Natchitoches Parish, Louisiana, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with provisions of those rules and regulations. There follow a description of the localities and the determination of value for each of these localities:

Value Locality I: Ward Numbers 1, 3, 4, 5, 6, 9, and 10\_\_\_\_\_\_\_\$3,460 Locality II: Ward Number 2\_\_\_\_\_\_ 948 Locality III: Ward Numbers 7, and 8\_\_ 1,107

Approved: March 22, 1941.

[SEAL]

GEORGE S. MITCHELL, Acting Administrator.

[F. R. Doc. 41-2312; Filed, March 28, 1941; 11:36 a. m.]

Rural Electrification Administration. [Administrative Order No. 568]

AMENDMENT OF ADMINISTRATIVE ORDERS

MARCH 22, 1941.

I hereby amend:

(a) Administrative Order No. 115, dated July 8, 1937, and Administrative Order No. 469, dated June 4, 1940, by changing the project designation appearing as "Nebraska 8024W Lancaster" in Administrative Order No. 115 and as "Nebraska 8024W1 Lancaster District Public" in Administrative Order No. 469 to read "Nebraska 8077W1 Norris District

(b) Administrative Order No. 122, dated August 6, 1937, and Administrative Order No. 469, dated June 4, 1940, by changing the project designation appearing as "Nebraska 8024B Lancaster" in Administrative Order No. 122 and as "Nebraska 8024B1 Lancaster District Public" in Administrative Order No. 469 to read "Nebraska 8077C1 Norris District Public;"

(c) Administrative Order No. 122, dated August 6, 1937, and Administrative Order No. 447, dated April 22, 1940, by changing the project designation appearing as "Nebraska 8025 Saline" in Administrative Order No. 122 and as "Nebraska 8025 Norris District Public" in Administrative Order No. 447 to read "Nebraska 8077D1

Norris District Public;"

(d) Administrative Order No. 170, dated December 6, 1937, and Administrative Order No. 447, dated April 22, 1940, by changing the project designation appearing as "Nebraska 8025W Saline" in Administrative Order No. 170 and as "Nebraska 8025W Norris District Public" in Administrative Order No. 447 to read "Nebraska 8077W2 Norris District Public:"

(e) Administrative Order No. 267. dated July 7, 1938, and Administrative Order No. 273, dated July 19, 1938, and Administrative Order No. 447, dated April 22, 1940, by changing the project designation appearing as "Nebraska 9025A2 Saline" in Administrative Order No. 267 and as "Nebraska 9025B1 Saline" in Administrative Order No. 273 and as "Nebraska 9025B1 Saline" and "Nebraska 9025B1 Norris District Public" in Administrative Order No. 447 to read "Nebraska 9077E1 Norris District Public;"

(f) Administrative Order No. 288, dated September 12, 1938, and Administrative Order No. 469, dated June 4, 1940, by changing the project designation appearing as "Nebraska 9024W2 Lancaster" in Administrative Order No. 288 and as "Nebraska 9024W2 Lancaster District Public" in Administrative Order No. 469 to read "Nebraska 9077W3

Norris District Public;"

(g) Administrative Order No. 315, dated December 29, 1938, and Administrative Order No. 447, dated April 22, 1940, by changing the project designation appearing as "Nebraska R9025W2 Saline" in Administrative Order No. 315 and as "Nebraska R9025W2 Norris District Public" in Administrative Order No. 447 to read "Nebraska R9077W4 Norris District Public:"

(h) Administrative Order No. 339. dated April 18, 1939, and Administrative Order No. 469, dated June 4, 1940, by changing the project designation appearing as "Nebraska R9070A1 Thayer" in Administrative Order No. 339 and as "Nebraska R9070A1 Thayer District Public" in Administrative Order No. 469 to read "Nebraska R9077F1 Norris District Public;"

(i) Administrative Order No. 358, dated June 19, 1939, and Administrative Order No. 457, dated May 10, 1940, by changing the project designation appearing as "Nebraska 0070W1 Thayer" in Administrative Order No. 358 and as "Nebraska 9-0070W1 Thayer District Public" in Administrative Order No. 457 to read "Nebraska 9-0077W5 Norris District Public:"

(j) Administrative Order No. 403, dated October 18, 1939, and Administrative Order No. 457, dated May 10, 1940, by changing the project designation appearing as "Nebraska R9007W1 Southeastern Nebraska District Public" in Administrative Order No. 403 and as "Nebraska 0-R9007W1 Southeastern Nebraska District Public" in Administrative Order No. 457 to read "Nebraska 0-R9077W6 Norris District Public;"

(k) Administrative Order No. 424, dated January 5, 1940, and Administrative Order No. 457, dated May 10, 1940, by changing the project designation appearing as "Nebraska 8024B2 Lancaster District Public" in Administrative Order No. 424, and as "Nebraska 0-8024B2 Lancaster District Public" in Administrative Order No. 457 to read "Nebraska 0-8077C2 Norris District Public;"

(1) Administrative Order No. dated January 5, 1940, and Administrative Order No. 457, dated May 10, 1940, by changing the project designation appearing as "Nebraska 7024B3 Lancaster District Public" in Administrative Order No. 424 and as "Nebraska 0–7024B3 Lancaster District Public" in Administrative Order No. 457 to read "Nebraska 0-7077C3 Norris District Public;"

(m) Administrative Order No. 449. dated April 22, 1940, by changing the project designation appearing therein as "Nebraska 0-9025W3 Norris District Public" to read "Nebraska 0-9077W7

Norris District Public;"

(n) Administrative Order No. 548. dated December 19, 1940, by changing the project designation appearing therein as "Nebraska 1024C1 Lancaster District Public" to read "Nebraska 1077H1 Norris District Public;"

(o) Administrative Order No. 548. dated December 19, 1940, by changing the project designation appearing therein as "Nebraska 1025C1 Norris District Public" to read "Nebraska 1077K1 Norris District Public:

(p) Administrative Order No. 558, dated February 17, 1941, by changing the project designation appearing therein as "Nebraska 1007B1 Southeastern Nebraska District Public" to read "Nebraska 1077L1 Norris District Public:"

(q) Administrative Order No. 559, dated February 24, 1941, by changing the project designation appearing therein as "Nebraska 1024W3 Lancaster District Public" to read "Nebraska 1077W8 Norris District Public."

[SEAL]

HARRY SLATTERY, Administrator.

[F.R. Doc. 41-2311; Filed, March 28, 1941; 11:36 a. m.]

## DEPARTMENT OF COMMERCE.

Civil Aeronautics Authority.

[Docket No. 574]

IN THE MATTER OF AN AGREEMENT FILED BY THE AIR TRAFFIC CONFERENCE OF AMER-ICA UNDER SECTION 412 (a) OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED, PERTAINING TO THE SELECTION AND EM-PLOYMENT OF AGENTS, AND THE PAYMENT OF COMMISSIONS TO AGENTS

## NOTICE OF ORAL ARGUMENT

Oral Argument in the above-entitled proceeding is hereby assigned for April 10, 1941, 10 o'clock a. m. (Eastern Standard Time) in Room 5044 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., March 26,

By the Civil Aeronautics Board.

[SEAL] THOMAS G. EARLY, Secretary.

[F. R. Doc. 41-2284; Filed, March 28, 1941; 9:42 a. m.]

## DEPARTMENT OF LABOR

Wage and Hour Division.

PRIMA FACIE DETERMINATION IN THE MAT-TER OF APPLICATION FOR EXEMPTION OF THE DEHYDRATING OF CITRUS PULP AND WASTE

Whereas, the Kuder Citrus Pulp Company, Florida, and sundry other processors of citrus pulp and waste have filed application for the exemption of dehydrating of citrus pulp and waste from the maximum hours provisions of the Fair Labor Standards Act of 1938, pursuant to section 7 (b) (3) and Part 526 as amended of the regulations issued thereunder.

Whereas it appears from the said application that:

1. Approximately thirteen plants in the United States, situated in Florida, Texas, and California, are engaged in producing cattle feed by means of dehydrating citrus waste.

2. These establishments are located in the neighborhood of, and sometimes adjacent to, citrus canning plants and receive the citrus waste and pulp from the cannery as soon as it becomes available.

 The pulp, which is perishable, must be processed within six to twelve hours.
 It is ground, pressed, dehydrated, sacked and stored or shipped for sale as cattle feed.

4. Such pulp plants can operate only during the period in which citrus waste from citrus canneries is available, a period generally not in excess of six months.

5. The dehydrating of citrus pulp and waste appears to constitute a branch of the citrus processing industry.

6. The industry engaged in the dehydrating of citrus pulp and waste operates during a regularly, annually recurring part of the year, and ceases production except for sales, maintenance and repair work because citrus fruit, and therefore citrus waste, are not available owing to climate or other natural conditions.

Now, therefore, upon consideration of the facts stated in the said applications, the Administrator hereby determines, pursuant to § 526.5 (b) (ii) of the regulations that a prima facte case has been shown for the granting of an exemption to the dehydrating of citrus pulp and waste, pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526 of the regulations.

In accordance with the procedure established by § 526.5 (b) (ii) of the regulations, the Administrator for fifteen days following the publication of this determi-

nation will receive objection to the granting of the exemption and request for hearing. Upon receipt of objection and request for hearing, the Administrator will set the application for the hearing before himself or an authorized representative.

If no objection and request for hearing is received within fifteen days, the Administrator will make a finding upon the *prima facie* case.

These applications may be examined at Room 5307, United States Department of Labor, Washington, D. C.

Signed at Washington, D. C., this 28th day of March 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-2317; Filed, March 28, 1941; 11:52 a. m.]

### FEDERAL COMMUNICATIONS COM-MISSION.

[Docket No. 5971]

NOTICE RELATIVE TO KING-TRENDLE BROAD-CASTING CORPORATION (WOOD), AS-SIGNOR AND WOOD BROADCASTING COR-PORATION, ASSIGNEE

Application dated July 18, 1940, for voluntary assignment of license; class of service, broadcast; class of station, broadcast; location, Grand Rapids, Michigan; present assignment: Frequency, 1,270 kc.; power, 500 w.; hours of operation, Shares WASH.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

- 1. To determine the financial and other qualifications of the proposed assignee to operate Station WOOD in the public interest.
- 2. To obtain full information regarding all contractual arrangements upon which the application for consent to assignment of the license of Station WOOD from King-Trendle Broadcasting Corporation to WOOD Broadcasting Corporation is based and regarding any rights or interest, direct or indirect, which Walter B. Stiles has or is to have in the proposed assignee.
- 3. To determine whether or not the arrangements under which the applicants have applied for consent to assignment of the license to operate Station WOOD will have the effect of giving or continuing to give a former licensee and/or owner of a licensee corporation, rights in the use of the frequency of the station beyond the terms of licenses heretofore issued to the said former licensee or to a corporation owned by him;
- 4. To determine whether the arrangements proposed by applicant in connection with the submission of the application involve the assertion of a property interest in a frequency; and

5. To determine whether in view of the facts found upon examination of the foregoing issues the granting of the application would be consistent with provisions of section 301 and 309 (b) of the Communications Act of 1934, and would serve public interest.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicants' addresses are as follows:

King-Trendle Broadcasting Corporation, Radio Station WOOD, 1700 Stroh Building, Detroit, Michigan.

WOOD Broadcasting Corporation, 1700 Stroh Building, Detroit, Michigan.

Dated at Washington, D. C., March 27, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 41-2314; Filed, March 28, 1941; 11:37 a, m.]

[Docket Nos. 6025, 6029, 6030]

Notice Relative to General Electric Company

Application of W2XD, dated, February 5, 1941, for license to cover C. P.; class of service, relay television broadcast; class of station, relay television broadcast; location, Schenectady, New York; operating assignment specified: Frequency, 162,000–168,000 kilocycles; emission, A-5; power, 40 w.; hours of operation, § 4.4 (a).

Application of W2XI; dated, January 21, 1941; for, renewal of license; class of service, relay television broadcast; class of station, relay television broadcast; location, New Scotland, New York; operating assignment specified: Frequency, 162,000–168,000 kilocycles; emission, A-5; power, 10 w.; hours of operation, § 4.4 (a).

Application of W2XB; dated, March 10, 1941; for, renewal of license; class of service, television broadcast; class of station, television broadcast; location, New Scotland, New York; operating assignment specified: Frequency, 60,000–86,000 kilocycles; power, A. 3 kw.; V. 10 kw.; hours of operation, § 4.4.

You are hereby notified that the Commission has examined the above described applications and has designated the matter for hearing for the following reason:

1. To determine whether the licensee has operated these stations in accordance with the Commission's Rules and Regulations, particularly §§ 4.72 and 4.74, and if not, whether public interest, convenience or necessity would be served by granting the applications.

The applications involved herein will not be granted by the Commission unless the issue listed above is determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issue by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

General Electric Company, 1 River Road, Schenectady, New York.

Dated at Washington, D. C., March 27, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 41-2315; Filed, March 28, 1941; 11:37 a. m.]

[Docket No. 6039]

# Notice Relative to Louis G. Baltimore (WBRE)

Application dated September 26, 1940, for construction permit; class of service, broadcast; class of station, synchronous; location, Wilkes-Barre, Pennsylvania; operating assignment specified: Frequency, 1,310 kc.; power, 100 w. night, 100 w. day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

- 1. To determine the legal, technical and other qualifications of the applicant to construct and operate the proposed satellite station in conjunction with Station WBRF.
- 2. To determine whether the application may be granted in view of the provisions of §§ 3.21 and 3.22 of the Commission's rules governing the operation of Standard Broadcast Stations.
- 3. To determine whether the granting of the application would be consistent with the Standards of Good Engineering Practice
- 4. To determine the character of broadcast service now available to the areas proposed to be served by the applicant.
- 5. To determine the areas and population now served by Station WBRE and to be served by it, operating as proposed.

- 6. To determine whether the operation of Station WBRE at Wilkes-Barre, Pennsylvania, synochronously with the proposed satellite station at Scranton, Pennsylvania would permit the rendition of a satisfactory local service throughout the Scranton metropolitan (Scranton-Wilkes-Barre) area.
- 7. To determine whether the proposed synchronized station will afford satisfactory service within its immediate locality.
- 8. To determine whether interference would result to any established or proposed station from the synchronous operation of the two stations.
- 9. To determine the nature and extent of any interference which would result to the service areas of Station WBRE and the proposed satellite station, if operated as proposed.
- 10. To determine whether the operation on the local frequency of Station WBRE synchronously with the satellite station at Scranton, Pennsylvania, would be a practical means, from an engineering standpoint, of providing a satisfactory service to the Scranton (Scranton-Wilkes-Barre) metropolitan area.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Louis G. Baltimore, Radio Station WBRE, 62 S. Franklin Street, Wilkes-Barre, Pa.

Dated at Washington, D. C., March 27, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 41-2316; Filed, March 28, 1941; 11:37 a. m.]

# FEDERAL POWER COMMISSION.

[Docket No. G-203]

In the Matter of Memphis Natural Gas Company

ORDER FIXING DATE OF HEARING AND SUS-PENDING RATE SCHEDULE

MARCH 25, 1941.

It appearing to the Commission that:

(a) On August 22, 1938, Memphis Natural Gas Company filed with the Commission agreements dated August 1, 1928, and September 1, 1934, with the Arkansas Power & Light Company, respectively

designated in the files of the Commission as Memphis Natural Gas Company Rate Schedule FPC No. 2 and Supplement No. 1 thereto, providing for the sale of natural gas by the Memphis Natural Gas Company to Arkansas Power & Light Company for resale for ultimate public consumption for domestic, commercial, industrial, or any other use:

(b) On March 7, 1941, Memphis Natural Gas Company filed with the Commission a notice dated March 5, 1941, designated in the files of the Commission as Memphis Natural Gas Company Supplement No. 1 to Supplement No. 1 to Rate Schedule FPC No. 2, providing that increased rates or charges for such sales of natural gas to Arkansas Power & Light Company for resale to domestic consumers shall be made effective as of April 21, 1941:

(c) Unless suspended by order of the Commission, Memphis Natural Gas Company Supplement No. 1 to Supplement No. 1 to Rate Schedule FPC No. 2 will become effective as of April 21, 1941, pursuant to the provisions of the Natural Gas Act and the amended Provisional Rules of Practice and Regulations thereunder;

(d) In purported justification of such proposed rates, Memphis Natural Gas Company stated that it desired to be compensated in part for periodic increases in the cost of gas to said Memphis Natural Gas Company, as may result from modification in charges to be made under the Company's gas purchase contract dated May 24, 1928, with United Gas Pipe Line Company, for gas sold to it; that recently there had been a modification of this contract which increased the cost of gas purchased by the Company at the rate of 1/4¢ per thousand cubic feet, and that the increase in the rate to Arkansas Power & Light Company is thereby justified:

(e) The schedule of increased rates or charges contained in said Memphis Natural Gas Company Supplement No. 1 to Supplement No. 1 to Rate Schedule FPC No. 2 may result in excessive rates or charges to Arkansas Power & Light Company or place an undue burden upon ultimate consumers of natural gas, and said increased rates or charges have not been

shown to be justified;

(f) National Power & Light Company, a subsidiary of Electric Bond and Share Company, owns or controls 16.33% of the voting stock of Memphis Natural Gas Company; and Electric Power & Light Corporation, a subsidiary of Electric Bond and Share Company, owns or controls 90.22% of the voting stock of Arkansas Power & Light Company;

The Commission finds that:

It is necessary, desirable, and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rates or charges, and that said proposed increased rates or charges be suspended pending such hearing and the decision thereon;

The Commission, upon its own motion, orders that:

(A) A public hearing be held on May 1, 1941, at 9:30 a. m., in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness of the rates or charges, subject to the jurisdiction of the Commission, contained in said Memphis Natural Gas Company Supplement No. 1 to Supplement No. 1 to Rate Schedule FPC No. 2, for the sale of natural gas to Arkansas Power & Light Company for resale for ultimate public consumption for domestic. commercial, industrial, or any other

(B) Pending such hearing and decision thereon, the schedule of increased rates or charges contained in said Supplement No. 1 to Supplement No. 1 to Rate Schedule FPC No. 2, except insofar as they may provide for the sale of natural gas for resale for ultimate public consumption for industrial use, be and it is hereby suspended until September 21, 1941, or until such time thereafter as said Schedule shall have been made effective in the manner prescribed by section 4 (e) of the Natural Gas Act;

(C) During the said period of suspension, the rates or charges collected and received by Memphis Natural Gas Company from Arkansas Power & Light Company, as provided in Memphis Natural Gas Company Supplement No. 1 to Rate Schedule FPC No. 2, except insofar as it may be for the sale of natural gas for resale for industrial use, shall remain and continue in full force and effect;

(D) At such hearing, the burden of proof to show that any of the aforesaid proposed increased rates or charges are just and reasonable shall be upon the Memphis Natural Gas Company.

By the Commission.

[SEAL] LEON M. FUQUAY, Secretary.

[F. R. Doc. 41-2287; Filed, March 28, 1941; 9:43 a. m.]

[Docket No. IT-5665]

IN THE MATTER OF THE CONNECTICUT LIGHT AND POWER COMPANY

ORDER POSTPONING HEARING

MARCH 25, 1941.

Upon the applications of Commission counsel, filed March 24, 1941, and of counsel for Respondent filed March 25, 1941, for postponement of the hearing heretofore set to begin at 9:30 a. m., March 31, 1941;

It appearing to the Commission that: Good cause has been shown for the postponement of the hearing in this

The Commission orders that:

The hearing in this proceeding to commence March 31, 1941, at 9:30 a. m., be and it hereby is postponed to commence May 6, 1941, at 9:30 a.m., in the hearing

No. 62-3

room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C. By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 41-2286; Filed, March 28, 1941; 9:42 a. m.]

#### [Docket No. IT-5671]

IN THE MATTER OF PEOPLES LIGHT COMPANY

ORDER APPROVING RECLASSIFICATION OF ELECTRIC PLANT ACCOUNTS, DISPOSITION OF AMOUNTS IN ACCOUNT 107, ELECTRIC PLANT ADJUSTMENTS, AND DISPOSITION OF AMOUNTS IN ACCOUNT 108.17, COMMON UTILITY PLANT ADJUSTMENTS

MARCH 25, 1941.

It appearing to the Commission that:

(a) On January 16, 1939, Peoples Light Company, hereinafter referred to as "Company," filed and submitted proposed reclassification and original cost studies required by Electric Plant Accounts Instruction 2-D of the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees, effective January 1, 1937, and the Commission's order of May 11, 1937;

(b) The Commission's staff has made a field study of the Company's proposed reclassification and original cost studies with respect to Electric and Common Utility Plant of the Company and on March 26, 1940, submitted a report entitled "Peoples Light Company, Davenport, Iowa, Report on the Reclassification and Original Cost Studies of Electric Plant as at January 1, 1937";

(c) The Commission's staff report was transmitted to the Company on April 3, 1940, with a request that the accounting adjustments indicated in the report be made, copies of the adjusting journal entries be submitted and a plan be submitted for disposing of the amounts shown in such report as established in Account 107, Electric Plant Adjustments. and Account 108.17, Common Utility Plant Adjustments within Account 108, Other Utility Plant:

(d) By order adopted January 28, 1941, the Commission ordered that the Company show cause at a public hearing why the adjustments proposed in the Commission's Staff Report should not be made and why disposition of the amounts established by such report in Account 107. Electric Plant Adjustments, and in Account 108.17, Common Utility Plant Adjustments, within Account 108, Other Utility Plant, should not be made;

(e) Thereafter, by petition filed with the Commission on March 18, 1941, the Company requested the Commission's approval of a certain Journal Entry to reflect the adjustments proposed by the Commission's staff in their "Report on the Reclassification and Original Cost Studies of Electric Plant as at January 1, 1937," with certain minor modifications thereof, and of certain plans for the disposition of the amounts established in Account 107, Electric Plant Adjustments, and Account 108.17, Common Utility Plant Adjustments, within Account 108, Other Utility Plant:

(f) The Company's proposed Journal Entry to reflect the adjustments indicated by the Commission's staff, to be recorded as of January 1, 1937, is as follows:

Credit

100.1 Electric Plant in Service:

Intangible Plant	Debit
302. Franchises and Consents	\$398.50
Transmission Plant:	
340. Land and Land Rights	3,079.32
344. Towers and Fixtures	106, 533. 96
345. Poles and Fixtures	24, 495, 53
346. Overhead Conductors and Devices	93, 066, 41
347. Underground Conduit	818.08
348. Underground Conductors and Devices	3,050.06
Distribution Plant:	
350. Land and Land Rights	26, 134, 46
351. Structures and Improvements	67, 824. 57
352. Station Equipment	346, 878. 23
354. Poles, Towers and Fixtures	261, 142. 03
355. Overhead Conductors and Devices	293, 433, 48
356. Underground Conduit	106, 602. 90
357. Underground Conductors and Devices	182, 986. 92
358. Line Transformers.	156, 137. 36
358a. Line Transformer Installations	6, 335. 56
359. Services	133, 581, 65
360. Meters	197, 738. 63
360a. Meter Installations	14, 320. 39
363. Street Lighting Equipment	81, 953. 42
General Plant:	
371. Structures and Improvements	2, 447. 36
373. Transportation Equipment	9, 242. 83
374. Stores Equipment	160.22
375. Shop Equipment	1, 358, 12
376. Laboratory Equipment	11, 501. 91
377. Tools and Work Equipment	2,383.96

Total\_\_\_\_\_ 2, 133, 605. 86

107. Electric Plant Adjustments	Debit 59, 658, 18	Credit
108. Other Utility Plant:		
108.11 Common Utility Plant in Service:		
General Plant:		
370. Land and Land Rights	9, 947. 48	
371. Structures and Improvements	100, 840, 45	
372. Office Furniture and Equipment	45, 305. 80	
373. Transportation Equipment	2, 488. 82	
374. Stores Equipment	3, 476. 02	
375. Shop Equipment	2, 583. 91	
379. Miscellaneous Equipment	6, 915. 53	
Total	171, 558. 01	
108.17 Common Utility Plant Adjustments	1,004,685.40	
108.2 Gas Plant	1, 923, 748. 77	
108.3 Steam Plant	232, 673. 75	
Utility Plant in Process of Reclassification		\$5, 525, 929. 97
Total	5, 525, 929, 97	5, 525, 929. 97

(g) The Company proposes to dispose of the amount of \$59,658.18 established in Account 107, Electric Plant Adjustments, as follows:

59, 658. 18

(h) The Company proposes to dispose of the amount of \$1,004,685.40 established in Account 108.17, Common Utility Plant Adjustments, within Account 108, Other Utility Plant, as follows:

To Account 151, Capital Stock Expense, representing capital stock fees	\$2,000.00
To Account 271, Earned Sur-	
plus, representing integration costs and new business ex-	
pense	27, 368. 30
To Account 250, Reserve for De-	
preciation, representing un-	435, 994, 72
To Account 271, Earned Sur-	
plus, representing a portion of the excess of book costs of	
property acquired from pred-	
ecessors over the original cost	

ecessors over the original cost of such property	400,000.00
Total Amount to be disposed of immediately To Account 537, Miscellaneous Amortization, representing balance of excess of book cost over original cost to be amortized over a period of not more than five years through this account beginning with the year 1941, in equal an-	865, 363. 02
nual installments	139, 322. 38
Total	1, 004, 685. 40

The Commission finds that:

The proposed Journal Entry and the plans for disposition of the amounts established in Account 107, Electric Plant Adjustments, and Account 108.17, Common Utility Plant Adjustments, within Account 108, Other Utility Plant, submitted in the petition filed on March 18, 1941, and described in paragraphs (f), (g) and (h) hereof, are in conformity with correct accounting principles and the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees;

### The Commission orders that:

(A) The proposed Journal Entry submitted by the Company, as described in paragraph (f) hereof, be and it is hereby approved; provided, however, that such approval shall be construed as applying only to Electric and Common Utility Plant;

(B) The Company dispose of the amounts of \$59,658.18 and \$1,004,685.40 established in Account 107, Electric Plant Adjustments, and Account 108.17, Common Utility Plant Adjustments, within Account 108, Other Utility Plant, respectively, as described in paragraphs (g) and (h) hereof;

(C) The proposed journal entries submitted by the Company as a part of its petition filed on March 18, 1941, reflecting the accounting disposition of the amounts included in Account 107, Electric Plant Adjustments, and Account 108.17, Common Utility Plant Adjustments, within Account 108, as described in paragraphs (g) and (h) hereof, be and they are hereby approved;

(D) The permission granted herein shall not be construed as a finding with respect to the original cost of the properties of said Company;

(E) The Order To Show Cause, adopted on January 28, 1941, in the above-entitled matter, be and the same is hereby dismissed, and the hearing now set for March 31, 1941, be and it is hereby cancelled.

By the Commission.

[SEAL] LEON-M. FUQUAY, Secretary.

[F. R. Doc. 41-2296; Filed, March 28, 1941; 11:07 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 4190]

IN THE MATTER OF THE BAUER MANUFAC-TURING COMPANY, A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1941.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, April 28, 1941, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room No. 7, Federal Building, Wooster, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission:

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 41-2319; Filed, March 28, 1941; 12:02 p. m.]

[Docket No. 4434]

IN THE MATTER OF G. KREUGER BREWING COMPANY, A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1941.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, April 11, 1941, at ten o'clock in the forenoon of that day (eastern standard time) in the Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 41-2320; Filed, March 28, 1941; 12:02 p. m.]

[Docket No. 4465]

IN THE MATTER OF PARKE, AUSTIN & LIPSCOMB, INC., A CORPORATION; SMITHSONIAN INSTITUTION SERIES, INC., A CORPORATION; ALFRED MONETT, INDIVIDUALLY AND AS AN OFFICER OF PARKE, AUSTIN & LIPSCOMB, INC.; AND SMITHSONIAN INSTITUTION SERIES, INC.; ROBERT A. HOGAN, JR., INDIVIDUALLY AND AS AN OFFICER OF PARKE, AUSTIN & LIPSCOMB, INC.; AND SMITHSONIAN INSTITUTION SERIES, INC.; JOSEPH M. MCANDREWS, INDIVIDUALLY AND AS AN OFFICER OF PARKE, AUSTIN & LIPSCOMB, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March A. D., 1941.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., section 41),

It is ordered, That W. W. Sheppard, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, April 8, 1941, at ten o'clock in the forenoon of that day (eastern standard time) in the Hotel St. George, Brooklyn, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 41-2321; Filed, March 28, 1941; 12:02 p. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 59-6]

IN THE MATTER OF THE UNITED GAS IM-PROVEMENT COMPANY AND ITS SUBSIDI-ARY COMPANIES, RESPONDENTS

ORDER INCLUDING A SUBSIDIARY AS A RESPONDENT

At a regular session of the Securities and Exchange Commission, held at its office on the 24th day of March, A. D. 1941, in the City of Washington, D. C.

The Commission having, on March 4 and August 2, 1940, issued Notices of and Orders for Hearing pursuant to section 11(b) (1) of the Public Utility Holding Company Act of 1935 directed to The United Gas Improvement Company, a

registered holding company, and its subsidiary companies as respondents; and

The Commission having set forth in the March 4 Notice of and Order for Hearing the direct and indirect security holdings of The United Gas Improvement Company in The Hartford Gas Company and having therein referred to a pending application filed by such company pursuant to section 2 (a) (8) of said Act for an order declaring it not to be a subsidiary company of The United Gas Improvement Company, The United Corporation (parent of The United Gas Improvement Company), or Connecticut Gas & Coke Securities Company (subsidiary of The United Gas Improvement Company), and the temporary exemption from the obligations, duties and liabilities of the Act conferred upon such company by the pendency of such application, and the Commission, as a consequence of the status of such company, having omitted said The Hartford Gas Company as a respondent in the proceedings; and

The Commission in its Statement of Tentative Conclusions issued on January 18, 1941 in accordance with an undertaking requested by the named respondents having set forth the tentative conclusions of the Commission as to retention of said The Hartford Gas Company under alternative assumptions as to disposition of the application referred to, and having tentatively concluded that direct or indirect retention thereof by The United Gas Improvement Company would be precluded by the standards of section 11 (b) (1) of the Act; and

The Commission by order dated March 13, 1941 (Holding Company Act Release No. 2613) having denied such application for an order declaring said The Hartford Gas Company not to be a subsidiary of the specified holding companies;

Now, therefore, it is ordered, That said The Hartford Gas Company be, and the same hereby is, made a respondent in the aforementioned proceeding.

By the Commission.

[SEAL]

Francis P. Brassor, Secretary.

[F. R. Doc. 41-2302; Filed, March 28, 1941; 11:18 a. m.]

[File No. 70-265]

IN THE MATTER OF CITIES SERVICE COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 26th day of March A. D. 1941.

Cities Service Company having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) and Rule U-12C-1, promulgated under said Act, with respect to the acquisition of its 5% Debentures, due 1950, 1958, 1963, 1966 and 1969, in an aggregate amount not exceeding 5% of the \$167,107,400 aggre-

gate principal amount outstanding as of December 31, 1940, namely \$8,355,370, such acquisitions to be made from time to time during the year next ensuing from the date of the Commission's order in the open market either through brokers and dealers on securities exchanges or in the over-the-counter markets or at private sale, at prices not in excess of the then current market prices; such declaration also requesting authority to make acquisitions at current market prices from two wholly-owned non-utility subsidiaries of applicant, namely Cities Service Oil Company (Pa.) and Sixty Wall Tower, Inc., which own respectively \$7,789,372 and \$700,000 principal amounts of such debentures:

Said declaration having been filed on February 27, 1941, and an amendment thereto having been filed on March 22, 1941, requesting that the Commission defer action with respect to the acquisition of any of such securities in the open market until an amended declaration with respect thereto is filed and providing that (1) the purchase price of acquisitions from Cities Service Oil Company (Pa.) and Sixty Wall Tower, Inc. be credited on indebtedness of said companies owing to Cities Service Company (2) Cities Service Company report to the Commission within ten days after the close of each calendar month in which any such acquisitions are made, the amount and purchase price of such acquisitions and (3) the Commission may revoke its authorization regarding such acquisitions upon ten days prior written notice to the declarant; and

Notice of said filing having been duly given in the form and manner prescribed by Rule U-8 promulgated under said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and the above named party having requested that said declaration, as amended, with respect to the acquisitions from the wholly-owned subsidiaries be allowed to become effective forthwith; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declaration, as amended, pursuant to Rule U-12C-1, regarding acquisitions from such subsidiaries, to become effective and being satisfied that the date permitting said declaration, as amended, to become effective should be advanced;

It is hereby ordered, Pursuant to Rule U-8 and the applicable provisions of the Act, subject to the terms and conditions prescribed in Rule U-9, that the aforesaid declaration, as amended, regarding acquisitions from such subsidiaries, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 41-2300; Filed, March 28, 1941; 11:17 s. m.]

[File No. 1-1810]

IN THE MATTER OF ASSOCIATED GAS & ELECTRIC COMPANY

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 27th day of March, A. D. 1941.

The Boston Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, \$1 Par Value, and Class A Stock, \$1 Par Value, of Associated Gas & Electric Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an oppor-

tunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Tuesday, April 22, 1941, at the office of the Securities & Exchange Commission, 82 Devonshire Street, Boston, Massachusetts, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Frank Kopelman, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 41-2299; Filed, March 28, 1941; 11:17 a. m.]

[File No. 31-506]

IN THE MATTER OF GULF STATES UTILITIES COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1941.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on April 10, 1941, at 2 o'clock in the afternoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearingroom clerk in room 1102 will advise as to the room where such hearing will be

held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before April 6, 1941.

The matter concerned herewith is in regard to an application pursuant to section 2 (a) (4) of said Act for an order declaring Gulf States Utilities Company not to be a gas utility company for the purposes of said Act.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 41-2297; Filed, March 28, 1941; 11:17 a. m.]

[File No. 31-507]

IN THE MATTER OF VIRGINIA ELECTRIC AND POWER COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1941.

An application, pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on April 10th, 1941, at 10 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before April 6th, 1941.

The matter concerned herewith is in regard to an application pursuant to section 2 (a) (4) of said Act for an order declaring Virginia Electric and Power Company not to be a gas utility company for the purposes of said Act.

By the Commission.

[SEAL]

Francis P. Brassor, Secretary.

[F. R. Doc. 41-2298; Filed, March 28, 1941; 11:17 a. m.]

IN THE MATTER OF GEORGE C. CROWDER, DOING BUSINESS AS THE INVESTORS INFORMATION CO., 153 HALEY STREET, WATERTOWN, NEW YORK

ORDER DENYING REGISTRATION AS AN INVESTMENT ADVISER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1941.

George C. Crowder, doing business as The Investors Information Co., having filed an application for registration as an investment adviser, pursuant to section 203 (c) of the Investment Advisers Act of 1940 and the rules promulgated thereunder, and having consented to the postponement of the effective date of said registration pending the determination of this proceeding:

A hearing having been held after appropriate notice to determine whether it is in the public interest to deny said application for registration; the trial examiner's report and exceptions to the examiner's report having been filed; and the Commission being fully advised in the premises and having found on the basis of the record herein that the said George C. Crowder is enjoined by decree of a court of competent jurisdiction from engaging in and continuing certain conduct and practices in connection with the purchase and sale of securities and that the public interest requires the denial of said application for registration, as is more fully set forth in the Findings and Opinion of the Commission this day issued:

It is ordered. That the said registration of George C. Crowder, doing business as The Investors Information Co., be and the same hereby is denied.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-2301; Filed, March 28, 1941; 11:18 a. m.]